

ESTTA Tracking number: **ESTTA41340**

Filing date: **08/05/2005**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	Flambeau, Inc.
Granted to Date of previous extension	08/06/2005
Address	801 Lynn Avenue Baraboo, WI 53913 UNITED STATES

Correspondence information	Sonja Stauffacher Assistant to General Counsel Nordic Group of Companies, Ltd. 414 Broadway Suite 200 Baraboo, WI 53913 UNITED STATES sstauffacher@nordicgroup.com Phone: 608-356-0136
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Applicant Information

Application No	78445300	Publication date	06/07/2005
Opposition Filing Date	08/05/2005	Opposition Period Ends	08/06/2005
Applicant	Hallmark Licensing, Inc. 2440 Pershing Road		

	Kansas City, MO 64108 UNITED STATES
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Goods/Services Affected by Opposition

Class 028. All goods and services in the class are opposed, namely: Plush toys, stuffed animals, Christmas ornaments
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Attachments	Signed Letter of Opposition.pdf (1 page)
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Signature	/Sonja A. Stauffacher/
Name	Sonja Stauffacher
Date	08/05/2005

August 5, 2005

Administrator for Trademark Identifications, Classifications and Practice
Office of the Commissioner for Trademarks
US Patent & Trademark Office

Subject: Mark "HOOPS & YOYO"
S/N 78/445,300

LETTER OF PROTEST

Dear Administrator:

Nordic Group of Companies, Ltd is the parent company of Duncan Toys Company -- a division of Flambeau, Inc.

We would like to protest the registration of trademark application S/N 78/445,300 for "HOOPS & YOYO" on the grounds the subject mark uses descriptive terms which are generic in nature. We are familiar with the fact, Duncan Toys no longer retains the "YoYo" mark based on the USPTO decision (originally registered January 24, 1933, Registration #300,504 by Donald F. Duncan, Inc. which was later acquired by Flambeau). YoYo is now considered a generic term for the toys' use within US commerce. Further, we would contend the descriptive word "hoops" is generic in nature, as well.

We respectfully request the application for the mark, "HOOPS & YOYO" be denied on the basis of it's generic meaning.

Sincerely,



Dana Roberts, Esq.

cc: Mr. Jason Sauey, Flambeau, Inc.
Mr. Jeff Bush, Flambeau, Inc.
Mr. Mike Burke, Duncan Toys Company